

INTERFERENCE INITIAL MEMORANDUM

Count # _____

To the Board of Patent Appeals and Interferences:

An interference is proposed involving the following 2 parties

PARTY Martin et al.	APPLICATION NO. 09/843,578	FILING DATE 26 April 2001	PATENT NO., IF ANY	ISSUE DATE, IF ANY
If the involved case is a patent, have its maintenance fees been paid? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not due yet				
Proposed priority benefit (list all intervening applications necessary for continuity):				
COUNTRY	APPLICATION NO.	FILING DATE	PATENT NO., IF ANY	ISSUE DATE, IF ANY
US	09/174,298	16 October 1998		
US	09/139,058	24 August 1998		
US	07/858,171	27 March 1992	5,843,473	
US	07/642,321 <u>07/425,224</u>	15 January 1991 <u>20 October 1989</u>	5,213,804 <u>5,013,556</u>	
The claim(s) of this party corresponding to this count:				
PATENTED OR PATENTABLE PENDING CLAIMS 21-24			UNPATENTABLE PENDING CLAIMS	
The claim(s) of this party NOT corresponding to this count:				
PATENTED OR PATENTABLE PENDING CLAIMS NONE			UNPATENTABLE PENDING CLAIMS	
PARTY Fisher	APPLICATION NO. 08/459,822	FILING DATE 02 June 1995	PATENT NO., IF ANY 6,132,763	ISSUE DATE, IF ANY
If the involved case is a patent, have its maintenance fees been paid? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not due yet				
Proposed priority benefit (list all intervening applications necessary for continuity):				
COUNTRY	APPLICATION NO.	FILING DATE	PATENT NO., IF ANY	ISSUE DATE, IF ANY
US	08/001,900	01 July 1993		
US	07/678,955	19 April 1991		
WO	GB89/01262	20 October 1988		
The claim(s) of this party corresponding to this count:				
PATENTED OR PATENTABLE PENDING CLAIMS 1, 2 and 4-9			UNPATENTABLE PENDING CLAIMS	
The claim(s) of this party NOT corresponding to this count:				
PATENTED OR PATENTABLE PENDING CLAIMS 3, 10 and 11			UNPATENTABLE PENDING CLAIMS	
<i>(Check off each step, if applicable)</i> INSTRUCTIONS				
<input type="checkbox"/> 1. Obtain all files listed above. <input type="checkbox"/> 2. Confirm that the proposed involved claims are still active and all corrections and entered amendments have been considered. The patents must not be expired for, among other things, failure to pay a maintenance fee (Check PALM screen 2970). <input type="checkbox"/> 3. If one of the involved files is a published application or a patent, check for compliance with 35 U.S.C. 135(b). <input type="checkbox"/> 4. Obtain a certified copy of any foreign benefit documents where necessary (37 CFR 1.55(a)). <input checked="" type="checkbox"/> 5. Discuss the proposed interference with an Interference Practice Specialist in your Technology Center.				
DATE 04 May 2005	PRIMARY EXAMINER (Signature) <i>L. S. Kishel</i>		ART UNIT 1615	TELEPHONE NO. (571) 272-0598
DATE	INTERFERENCE PRACTICE SPECIALIST or TECHNOLOGY CENTER DIRECTOR <i>ANTHONY CAPUTO</i> SUPERVISORY PATENT EXAMINER			TELEPHONE NO. <i>571-272-0829</i>